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Ryan Lewis and Kathryn Fitzgerald*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

B.H., a minor by and through her Parent, Sirbrina Bell,

Plaintiffs,

vs.

CLARK COUNTY SCHOOL DISTRICT;
SCARLETT PERRYMAN, individually;
RYAN LEWIS, individually; KATHRYN
FITZGERALD, individually; DOES I-X, and
ROE CORPORATIONS I-X, inclusive

Defendants.

Case No.: 2:23-cv-00564-JCM-DJA

**ORDER
TO EXTEND DISPOSITIVE MOTION
DEADLINE**

(FOURTH REQUEST)

Plaintiffs, B.H., a minor by and through her Parent, Sirbrina Bell, Defendants Ryan Lewis and Kathryn Fitzgerald and Defendants, Clark County School District and Scarlett Perryman, (collectively, the “Parties”) by and through their respective Counsel, hereby stipulate and agree to extend the dispositive motion deadline by one week. This is the **Fourth Request** to extend.

Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1(e), the Parties do hereby stipulate to the following amended discovery plan and scheduling order:

I. Discovery Completed To Date:

The parties have completed the following discovery to date: exchanged their initial Rule 26 Disclosures and supplements thereto. Per the Court’s requirements, the specific discovery



conducted is delineated below:

1. Initial Disclosures were served:

- a. By Plaintiff on July 21, 2023;
- b. By Defendants CCSD and Perryman on July 21, 2023;
- c. By Defendants Lewis and Fitzgerald on July 21, 2023.

2. On August 23, 2022, an in-classroom observation of the minor Plaintiff by Plaintiff's expert was conducted.

3. On September 15, 2023, Defendants CCSD and Perryman served their First Supplemental Disclosure of Documents and Witnesses.

4. On September 21, 2023, Defendants CCSD and Perryman served their Second Supplemental Disclosure of Documents and Witnesses.

5. The Deposition of Troye Boudreaux was taken on September 22, 2023.

6. On September 25, 2023, Plaintiff served its Responses to Defendant Clark County School District's First Set of Interrogatories.

7. On September 25, 2023, Plaintiff served its Responses to Defendant Clark County School District's First Set of Requests for Production of Documents.

8. On October 4, 2023, Defendants CCSD and Perryman served their Third Supplemental Disclosure of Documents and Witnesses.

9. On October 12, 2023, Plaintiff served its First Supplemental Disclosure of Documents and Witnesses.

10. The deposition of CCSD Police Lt. Jason Elfberg was noticed for October 17, 2023, and continued due to Plaintiff's counsels' scheduling conflicts.

11. The video deposition of Defendant Fitzgerald was noticed for October 25, 2023, and rescheduled due to deponent having tested positive for Covid.

12. On October 25, 2023, Defendants CCSD and Perryman served their Fourth Supplemental Disclosure of Documents and Witnesses.

13. On October 25, 2023, Defendants Lewis and Fitzgerald served their First Supplemental Disclosure of Documents and Witnesses.



1 14. On October 25, 2023, Defendant Clark County School District served its Answers to
2 Plaintiff's First Set of Interrogatories.

3 15. On October 25, 2025, Defendant Clark County School District served its Answers to
4 Plaintiff's First Set of Requests for Admissions.

5 16. On October 25, 2025, Defendant Clark County School District served its Answers to
6 Plaintiff's First Set of Requests for Production of Documents.

7 17. On October 25, 2023, Defendant Scarlett Perryman served her Answers to Plaintiff's First
8 Set of Interrogatories.

9 18. On October 25, 2025, Defendant Scarlett Perryman served her Answers to Plaintiff's First
10 Set of Requests for Admissions.

11 19. On October 25, 2025, Defendant Scarlett Perryman served her Answers to Plaintiff's First
12 Set of Requests for Production of Documents.

13 20. On October 25, 2023, Defendant Ryan Lewis served his Answers to Plaintiff's First Set of
14 Interrogatories.

15 21. On October 25, 2023, Defendant Ryan Lewis served his Responses to Plaintiff's First Set
16 of Requests for Admissions.

17 22. On October 25, 2023, Defendant Ryan Lewis served his Responses to Plaintiff's First Set of
18 Requests for Production of Documents

19 23. On October 31, 2023, Defendants CCSD and Perryman served their Amended Fourth
20 Supplemental Disclosure of Documents and Witnesses.

21 24. On November 1, 2023, Defendants Lewis and Fitzgerald served their Second Supplemental
22 Disclosure of Documents and Witnesses.

23 25. On November 1, 2023, Defendant Kathryn Fitzgerald served her Answers to Plaintiff's First
24 Set of Interrogatories.

25 26. On November 1, 2023, Defendant Kathryn Fitzgerald served her Responses to Plaintiff's
26 First Set of Requests for Admissions.

27 27. On November 1, 2023, Defendant Kathryn Fitzgerald served her Responses to Plaintiff's
28 First Set of Requests for Production of Documents.,



- 1 28. The Deposition of Kia Hunter was taken on November 2, 2023.
- 2 29. The Deposition of Lieutenant Jason Elfberg was taken November 7, 2023.
- 3 30. The Deposition of Sirbrina Bell was taken November 8, 2023.
- 4 31. The continued Deposition of Troye Boudreaux was taken on November 13, 2023.
- 5 32. The Rule 35 Examination of the minor Plaintiff B.H. was completed for December 9, 2023.
- 6 33. The Deposition of Starlyn Olson was taken December 14, 2023.
- 7 34. On January 5, 2024 Defendants CCSD and Perryman served their Fifth Supplemental
- 8 Disclosure of Documents and Witnesses.
- 9 35. The Deposition of Kathryn Fitzgerald was taken on April 3, 2024.
- 10 36. The Deposition of Ryan Lewis was taken on April 10, 2024.
- 11 37. The Deposition of Scarlett Perryman was taken on May 21, 2024.
- 12 38. On June 27, 2024 Plaintiff and Defendants CCSD and Perryman served their Initial Expert
- 13 Disclosure, respectively.
- 14 39. On June 27, 2024, Defendants Lewis and Fitzgerald served their Joinder to Defendants
- 15 CCSD and Perryman's Initial Expert Disclosure.
- 16 40. On November 22, 2024, Plaintiff served their Expert Rebuttal.
- 17 41. On November 22, 2024, Defendant CCSD and Perryman served their Expert Rebuttal
- 18 Report.
- 19 42. On January 22, 2025, Defendants deposed Plaintiff's expert Dr. Helena Huckabee.
- 20 43. On January 27, 2025, Plaintiff served their First Supplemental Expert Disclosure.
- 21 44. On February 24, 2025, Plaintiff's deposed Defendants' expert Dr. Kimberly D. Lakes.
- 22 45. On February 25, 2024, Defendants CCSD and Perryman served their Sixth Supplemental
- 23 Disclosure of Documents and Witnesses.
- 24 46. On February 27, 2025, Plaintiff deposed Defendant's expert Dr. Kathleen Hartmann.
- 25 47. On February 28, 2025, Plaintiff served their Third Supplemental Disclosure of Documents
- 26 and Witnesses.
- 27 48. On March 3, 2025, Plaintiff deposed witness Cythnia Gregware.
- 28 49. On March 7, 2025, Plaintiff deposed assistant principal Alan Alden.



50. On March 19, 2025, Plaintiff deposed witness Keely Bryner.

51. On March 24, 2025, Plaintiff served their Fourth Supplemental Disclosure of Documents and Witnesses.

52. On March 25, 2025, Plaintiff completed the deposition of Defendant Ryan Lewis.

53. On March 31, 2025, Defendants CCSD and Perryman served their Seventh Supplemental Disclosure of Documents and Witnesses.

II. Discovery Left To Be Completed:

No additional discovery is necessary

III. Reasons For Extension

The parties have conducted discovery in good faith. Unfortunately, defense counsel for Ryan Lewis and Kathryn Fitzgerald changed firms in or around February 2025. During that time frame, the entire file, including depositions and discovery was not transferred over. This was realized in the past week by defense counsel for Ryan Lewis and Kathryn Fitzgerald. Defense counsel for Lewis and Fitzgerald has been in the process of obtaining the entire record. In addition, defense counsel for Lewis and Fitzgerald was ordered to appear for and attend an evidentiary hearing in state court on Monday, May 12, 2025 before the honorable Judge Timothy Williams.¹ As a result, defense counsel has not had a sufficient time finalize disposition motions. Nevertheless, the parties have agreed to extend the dispositive motion deadline by one week. It is further noted that Defendants Clark County School District and Scarlett Perryman filed their dispositive motions on May 12, 2025. Despite this filing, the parties further agree that any response to the motion would be due 21 days from the agreed upon date of May 19, 2025.

IV. Proposed Deadlines

The Parties proposed the following discovery plan:

Schedule Event	Proposed Deadline
Close of Discovery	Expired
Amended Pleadings	Expired

¹ This was ordered on May 7, 2025, giving limited time for preparation.

1	Expert Disclosures	Expired
2	Rebuttal Disclosures	Expired
3	Dispositive Motions	May 19, 2025
4	Joint Pretrial Order	June 12, 2025

5 **IT IS SO STIPULATED.**

6 Dated this 12th day of May, 2025.

Dated this 12th day of May, 2025.

7 /s/ Jacqueline V. Nichols
8 Phillip N. Smith, Jr., Esq.
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/s/ Thomas D. Dillard
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13 Dated this 12th day, May, 2025.

14 /s/ Christopher Swift
15 Gregg Hubley, Esq.
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1 IT IS THEREFORE ORDERED that the parties' stipulation to extend time (ECF No. 54) is
2 GRANTED.



3 DANIEL J. ALBREGTS
4 UNITED STATES MAGISTRATE JUDGE

5 DATED: May 13, 2025
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